

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JORGE SANCHEZ, et al.,

Plaintiffs,

v.

NORTH BEACH ALLIANCE, LLC, et al.,

Defendants.

Case No. 23-cv-02361-EMC

**ORDER GRANTING PLAINTIFFS’
RENEWED MOTION FOR DEFAULT
JUDGMENT**

Docket No. 47

Plaintiffs Jorge Sanchez and Matt Scott are disabled individuals who use wheelchairs. They have sued two Defendants for disability discrimination: (1) North Beach Alliance, LLC (“NBA”) (d/b/a Barbarossa Lounge) and (2) Shannon C. Gwin. Previously, the Court granted Plaintiffs’ motion for default judgment as to Mr. Gwin only. The Court awarded both damages and injunctive relief. *See* Docket No. 42 (order). Now pending before the Court is Plaintiffs’ renewed motion for default judgment as to NBA.

The Court hereby **GRANTS** Plaintiffs’ motion for relief as to NBA. Plaintiffs have properly served NBA, as the Court has previously held. *See* Docket No. 42 (Order at 8). Plaintiffs have also served a copy of their renewed motion for default judgment on NBA. In spite of such, NBA has failed to make an appearance in this case, nor has it responded to the motion for default judgment. Furthermore, the Court’s analysis of the *Eitel* factors, in its order addressing the default judgment motion filed against Mr. Gwin, is equally applicable here.

Turning to the issue of relief with respect to NBA, the Court concludes that Plaintiffs are entitled to the same injunctive relief and damages as itemized in the default judgment order against Mr. Gwin. *See* Docket No. 42 (Order at 5-6). Now that there is a liability ruling against

both Mr. Gwin and NBA, the Court also awards attorneys' fees and costs in the amount of \$22,664.26. *See* Docket No. 41 (Supp. Clefthon Decl. ¶ 3).

So that the record is clear, this order, along with the Court's default judgment order against Mr. Gwin, *see* Docket No. 42 (order), means that Plaintiffs are entitled to the following relief:

(1) Mr. Gwin and NBA must modify the property at 714 Montgomery Street, San Francisco, California 94111 to comply with the 2010 ADA Standards for Accessible Design and Title 24 of the California Code of Regulations, with all work to be completed on/before August 27, 2026, specifically.

(a) Mr. Gwin and NBA shall provide at least 5% accessible seating in the Lounge (located at the property above).

(b) Mr. Gwin and NBA shall ensure that the tables and chairs at the Lounge are spaced such that there is an accessible path of travel through the interior of the facility.

(c) Mr. Gwin and NBA shall provide an accessible path of travel to an accessible restroom in the Lounge. He may install a wheelchair lift or other means or accessible egress to the current designated accessible restroom, or he may create another accessible restroom which is on an accessible path of travel.

(2) Mr. Gwin and NBA are jointly and severally liable to Plaintiffs for statutory damages under the Unruh Act. Each Plaintiff is awarded statutory damages in the amount of \$4,000, for a total of \$8,000 in damages.

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(3) Mr. Gwin and NBA are jointly and severally liable to Plaintiffs for attorneys' fees and costs in the amount of \$22,664.26.

The Clerk of the Court is directed to enter a final judgment in favor of Plaintiffs and against Defendants in accordance with the order at Docket No. 42 and this order.

This order disposes of Docket No. 47.

IT IS SO ORDERED.

Dated: August 17, 2025


EDWARD M. CHEN
United States District Judge